

REMARKS

STATUS OF CLAIMS

In the Office Action mailed December 14, 2006 (hereinafter referred to as "the Office Action"), claims 1-12 were rejected and claims 13-39 have been withdrawn. Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the foregoing amendments and the following remarks.

Initially, the Examiner is kindly thanked for his exemplary assistance on March 5, 2007 during a telephonic interview in which the rejected claims were discussed. Without conceding the propriety of the rejections under 35 U.S.C. §112, §102, and §103, claims 1-39 have been cancelled without prejudice or disclaimer of the subject matter contained therein and claims 40-63 are newly added in accordance with the Examiner's suggestions. Support for newly added claims 40-63 is to be found, at least, in FIGS. 1-4 and at paragraphs 20 and 22. In particular, the conformation of the ultrasonic blade and the edge profile is described in paragraph 22 and shown in FIGS. 1-4. The use of the ultrasonic blade to cut composite prepreg material in general and titanium graphite in particular is described in paragraph 20. Accordingly, no new matter has been added by this amendment and no estoppels are intended thereby.

The Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following amendments and remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references. Withdrawal of outstanding objection and rejections is respectfully requested in view of the foregoing amendments and the following remarks.

OFFICE ACTION

REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-12 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-12 have been canceled herein and newly added claims 40-63 do not recite the rejected incident angles. Accordingly, withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-12 have been canceled herein and newly added claims 40-63 do not recite the rejected incident angles. Accordingly, withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 102(b or e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a)

Claims 1-12 are rejected under 35 U.S.C. § 102(b or e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent Application No. 2004/0232669 to Richard L. Leland et al. (Hereinafter referred to as "Leland") or U.S. Patent No. 6,436,115 to Jean M. Beaupre (Hereinafter referred to as "Beaupre"). Claims 1-12 have been canceled without prejudice or disclaimer of the subject matter therein. The Applicant respectfully submits that newly added claims 40-63 obviate the rejection under 35 U.S.C. § 102(b or e) and under 35 U.S.C. 103(a).


CONCLUSION

In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited. No fees are believed due in connection with the submission of this paper however please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Docket No. 05165.1460.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned attorney at (202) 861-1629.

Respectfully submitted,

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